G. R. S. 59] GPB—15,000—22-7-14

GENERAL AND REVENUE SECRETARIAT.

1901–02
~~191~~.
(Inward)

File No. 224.

Serial Nos.

Papers Filed.

*Month*_____

SUBJECT.

Passing orders regarding the leasing out of the garden attached to the Gumbuz at Srirangapatam.

PREVIOUS REFERENCES. LATER REFERENCES.

Inward F 453 1905-06

Mysore Department

Note

Mysore Dy Comm's
Letter no 304 dated 4th
April 1902, reporting on
the petition of Abdul
Rajack, Contractor in
the matter of the auction
sale of the produce of the
Lumbay Garden at Sreerangapatna
Hobli.

The Dy Comm's letter
fully explains the facts
of the case, which are borne
out by the Panchanama Records
received with the letter.

2. When the Dy Lumbay

went to the Secretary on duty

on the 15th instant the

Magistrate personally informed

that the Contract period

would ~~had~~ expire on the 30th

of this month and that

fresh notices would have

to be issued for the next

year's Contract.

3. From the Remembrance

Records it is observed

that Mohammad Khan

whose bid was finally

accepted by the Dy Comm

for Rs 306, has paid up

the full amount

Submitted

25/6/02

The Dy Commrs order seems to be based on a technical point, viz that there was no irregularity in the sale and that the same should be accepted. Abdul Rozak however had already been in possession for nearly 5½ months from 1st July '07 and had paid up half the amount agreed to be paid by him Rs 286 Mahomed Khan's bid for was for Rs 306, being Rs 20 in excess. This last purchaser also has paid up the amount in full and as the will at the close of the present official on the 30th June, the contract ceases, ~~there~~. I think it is better to confirm the action of the Dy Commrs.

At the same time I am not sure whether sale of the garden produce every year with the liability

to such incidents as described above, would tend to keep up the season in good condition. ~~It~~ Assessing the produce for a period of three or five years seems preferable.

Then again with regard to the sale itself, it is not clear why it should have been put off till the 12th August 01. This year also, although there is barely a week before the beginning of the next official year, no action seems to have as yet been taken. The sale may well take place in May ~~and the~~ on condition of the purchaser being put in possession from July following.

29.6.02

Submitted to the Deputy

RD 26.6.02

4936

Sayndte about the sale and the period is over & a decision is uncalled for - but when the other bits - I agree that leases might be given for three years

WMD

19.VII.02

Draft as reply RD 24/7/02

Ask if the shieldhan of any beasts has been already given. If not, let him submit good orders

RD 20/8/02

No 1206 Ex

MYSORE DEWAN'S OFFICE,

MUZRAI DEPARTMENT.

OFFICIAL MEMORANDUM.

No.

The accompanying Petition No. 7011
dated — Jan 1902 received at the
Dewan's Office from Abdul Razak
Contractor, Ganjam
Srirangapatana Taluk
in the case of sale
of the produce of the
Gumbuz garden
at Srirangapatana

is forwarded, together with its nil
enclosures, to the Dy Comr,
Mysore District,
for submission of
the entire records
connected with
the case together
with a brief report
thereon.

By Order,
7/2/02
Dy
Muzrai Secretary
Muzrai Dept

BANGALORE,
8 Feb 02 }

Ex
120
Asst Secretary

Please put up
the previous letter
dated 15th with this
file of the Bombay Corporation

Dy. 2/2/22

Date 2-2-1925

No 1265 & 1266
Muz F 114 92 21.2.02.

MYSORE DEWAN'S OFFICE

MUZRAI DEPARTMENT.

OFFICIAL MEMORANDUM.

No.

The accompanying Petition No. 768
dated 18th February 1903 received at the
Dewan's Office from Abdul Razack
Contractor residing at-
Srirangapatana Taluk
in re the auction sale of the
produce of the Gumbuz
garden at Srirangapatana.

is forwarded, ~~together with its annexures~~, to the Dy Commissioner
Mysore Dist in Continuation
of this office memo No 1206
dy 8th February 1902.

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2. The submission of
the return to annual tree
report. Muzrai Collector
for ~~should be expedited~~

By Order,

BANGALORE,
1902

Dy Muzrai Secretary

Asst Secretary

20/2/02

768

28-1-02

18-2-02

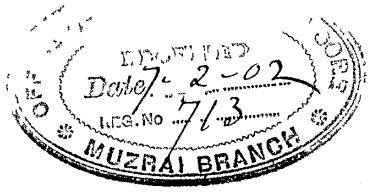
1-3-02

25/2/02

No 1401

7-5-1902

1901-902.



From H Ramanujadyangar Esqre
Offg ~~The~~ Deputy Commissioner of
the Mysore District

To L. Anantaswami Rao Esqre B.A
~~Deputy~~ ~~The~~ Secretary to the
Government of Mysore,
~~General and Revenue~~
Muzrai Departments.

7/4/02

Submitted for orders

7/4/02

Dated 4th
Despatched 5 } April 1902
Received

Enclosures No. 1 V. file.

General No. 307

Reporting on the petition of
Abdul Razak, contractor, Ganjam,
Seringapatam Taluk, re the
auction sale of the produce of the
Cumbar garden at Seringapatam

No

OFFICE OF THE DEPUTY COMMISSIONER.

Enclosures No.

MYSORE DISTRICT.

Dated 4th April 1902.

To L. Anantasame Rao Esq B.A.
Deputy
The Secretary to the Government of Mysore,
Muzrai ~~General and Revenue~~ Departments.

Sir,

Adverting to your official memoranda nos. $\frac{1206}{\text{Muz 7 114-92}}$ and $\frac{1265}{\text{Muz 7 114-92}}$ dated 8th and 21st February 1902 respectively forwarding for report with connected papers petitions from Abdul Razak, Contractor Ganjam, Seringapatam Taluk, re the auction sale of the produce of the Gumbaz garden at Seringapatam, I have the honor to state as follows:—

The sale of the produce of the garden belonging to the Gumbaz at Seringapatam for the period from August 1901 to end of June 1902 was held on 12th August 1901 but no bids were

received

received. At the instance of the intending bidders and in the interest of the institution the period of the lease was extended and a second sale of the concern for 3 years from August 1901 to the end of June 1904 was held after due notice on the 30th August 1901 with the result that the highest bid secured was Rs 800 from Abdul Rajak As this amount gave an average of Rs 266-10-8 a year, which did not compare favorably with previous years, the Amildar had the concern sold again in his presence on the 1st September 1901, at which Yusuf-Ali-Khan offered to take the lease for 3 years at Rs 286 per year. In the meantime Abdul Razak presented a darkhast to the Amildar to take the lease for one year for Rs 286 and the Amildar preferred accepting his offer -

on the ground that the garden could be improved by the Gumbaz servants whom he had employed in manuring and preparing the lands so as to bring in better returns for next year and recovered the usual deposit and put him in possession of the garden and its produce.

The Amildar then submitted the records to the Sub Division officer for orders who confirmed the action taken by the Amildar.

After this Bhagavan and others petitioned the Sub Division officer that the lease given to Abdul Razak had not been put up to open competition. The Sub Division officer called for the records again and finding that no notice had been given of the sale of the lease for one year cancelled the Amildar's action and ordered on the 3rd October 1901

1901 a resale after due publication of the sale notice.

The above sale was held on the 15th October 1901 when Mahomed Khan bid for Rs 300 and paid the usual deposit. The Sub Division officer finding that Mahomed Khan's offer exceeded Abdul Razak's bid by a trifling sum of Rs 14 and not wishing to disturb the possession which the latter had already obtained again confirmed the lease given to Abdul Razak.

Against this order Mahomed Khan appealed to this office.

I perused the sale records. The sale made in the first instance for 3 years was against manual and unauthorized. Abdul Razak was no bidder at an auction sale and the Sub Division officer had on the

Contd

ground annulled the lease given to him in the first instance. Subsequently he confirmed the same lease as there was no appreciable increase in Mahomed Khan's bid. The Sub Division officer was thus inconsistent in his proceedings and as there were no irregularities to vitiate the sale proceedings which took place after the Sub Division officer's orders of the 3rd October 1901 were passed, I held that the sale of the Concern to Mahomed Khan should succeed and accordingly confirmed it reversing the Sub Division officer's order.

The present appeal to Government by Abdul Razak is against the above order.

The vernacular records connected with the case as per accompanying

accompanying ferriet are herewith submitted together with the enclosures of your memoranda under reply.

I have the honor to be
Sir,
your most obedt servant

H M Cumberland Jr
Asstt Dy. Commissioner
Allyene District

HC

MUZRAI

19 —19

From

DEPUTY SECRETARY,
GOVERNMENT OF MYSORE,
MUZRAI DEPARTMENT.

To

The Dy Commr
Mysore Dt

Dated

Despatched 4th September 1902

Received

General No. 424
Muzrai F. No. 114-92
Enclosure No. 1 folio VPP

His letter no 307
dated 4th April 1902
reporting on the petition
of Abdul Razack, Contractor
at Gunjam in the Tirumaya-
-kotta Taluk, in the
matter of the auction sale
of the produce of the Gumboz
Garden at Tirumayakottam

With reference to the
above, I have the honour to
intimate
~~that~~ that the petitioner

Hasan Abdul Razzak
has since submitted a
second petition to this
Office, withdrawing
his Appeal Petition; and
to state that under the
circumstances ~~stated~~
stated in the petition
and the facts explained in the
Dr Conner's letter under
advertence, the question
may be dropped.
2. From the Vancouver
records it is observed that
the Sale in the last year took place on the 12th
in August 1901, while it should
have been held before the
commencement of the Official year

It is not clear why it should have taken place so late as August 1902.

3. The Dy Comr is requested to issue needful instructions in the matter to the Amildar, and to see that the sale will hereafter take place in the month of May preceding the Commencement of the Offl year & on Condition of the purchaser having got in possession of the garden by the 31st July following -

4 The undersigned is also to request that

before the sale is confirmed
a report may in future
be submitted for the
information of Government
stating the sale amount &c
Fines returned

Dawson's order
Dft

3/9/02
Dy Secretary

Jas

Note
As a lease has been already
given for one year, the fact
that future leases may be granted
for 3 years need not be
commenced now
3/9/02

(General Serial No. 50) 1903.04

~~189~~

From The Dy Commissioner Mysore District

To The Deputy Secretary Govt of Mysore Muzrai Dept

Dated

Despatched 10th May 1903

Received

General No. } 181
No.

Enclosures No. 1 to 6

Reporting re leasing out the garden and bunds in the Gundlupet Sericulture station

OFFICE OF THE DEWAN OF MYSORE
RECEIVED
Date 50
REG. No
MUZRAI BRANCH

Rec'd
13/7/03

Deputy Commissioner's office
Mysore District,
Muzrai Department
Dated Mysore 1st July 1903.

From

M. Kantaraj Urs Esq, B.A.
Deputy Commissioner
Mysore District.

To L. Anantasami Rao Esq, B.A
Deputy Secretary, Government
of Mysore, Muzrai Departmen

Sir,

Adverting to your docket No. 424/114-92 dated 4th September 1902, I have the honour state that it is not profitable to lease out the garden attached to the Gumbuz at Seringapatam for one year only as the amount is only Rs 300/ per annum. Whereas, if the lease should be for a longer term viz 3 years, they are prepared to pay 'gutta' of Rs 450/ per annum. I therefore concur with the Sub Division Officer in leasing out the garden to one Mahomed Ibrahim for 3 years from whom a deposit of Rs 112-8-— has been received.

2. I request the sanction of Government for the above.

I have the honour to be
Sir
Your most obedient Servant

Deputy Commissioner
Mysore District

Mysore

Read:—

Correspondence ending with letter No. 1 dated 10th July 1903 from the Dy Commr, Mysore district, regarding the leasing out of the garden attached to the Gumbaz at Sreerangapatana

———"———

No 242-3 Enclosure Order thereon:—
Mysr: F. 114-92

D 23/7/1903.

The Dy Commr reports that it is not profitable to lease out the garden for one year only and recommends therefore that it may be leased out for 3 years. This recommendation is sanctioned

2. The Dy Commr further

States that one Mohomed Ibrahim has offered Rs 450 per annum for 3 years and has also deposited Rs 112-8-0, and requests sanction to lease out the garden to him at the rate offered by him. But, from the records received with the letter read above it is not clear whether the lease was actually publicly auctioned out on the 23rd June 1903, the date fixed in the Notice issued by the Amildar, and whether at such auction Mohomed Ibrahim was the highest bidder ~~and~~ if so, the lease may, as recommended, be

given over to him or
if not, to any other person whose bid is
~~to any other more~~
more advantageous to the Govt.,
at the discretion of the
D/Commr

21/7/03
D/y Secretary
Revs: Deptt

Ds
21/7/03

To,
The D/Commr:
Please D/ retg rec:
compte D/Govt for
M/s

Note The Dewan in his
orders passed last year
approved of a Sale
for 3 years
21/7/03